

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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AMY VELEZ et. al.,

Plaintiffs,

v.

NOVARTIS PHARMACEUTICALS  
CORPORATION and THOMAS  
EBELING

Defendants.  
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**REVISED CIVIL  
CASE MANAGEMENT PLAN**

(Judge Gerard E. Lynch)

Case No. 04 CV 9194

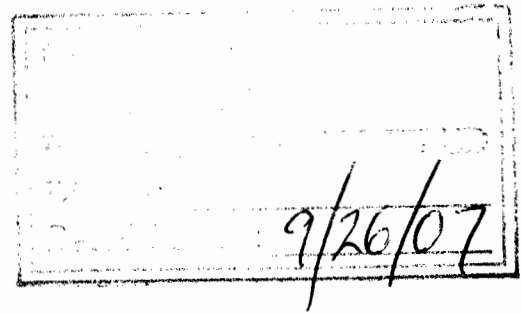
After consultation with counsel for and by all parties, this Revised Case Management Plan is adopted. This plan is also a scheduling order pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure.

1. The case is to be tried by a jury.
2. Merits Discovery

All fact discovery related to merits is to be completed by **May 5, 2008**. Interim deadlines set below may be extended by the parties on consent without application to the Court, provided the parties can still meet the discovery completion date ordered by the Court, which shall not be adjourned except upon a showing of extraordinary circumstances.

- A. First request for production of documents and interrogatories relating to merits, if any, is to be served by **November 15, 2007**.
- B. Plaintiffs' expert reports are to be furnished by **March 3, 2008**. Any defendants' expert reports in opposition shall be served by **April 7, 2008**.
- C. Dispositive motions must be filed by **July 1, 2008**. Oppositions must be served by **August 4, 2008**. Replies must be served by **September 8, 2008**.

All motions and applications shall be governed by the Court's Individual Practice Rules, which are available on the Internet at <http://www.nysd.uscourts.gov>. Note that under those rules, two courtesy copies of all motion papers are to be provided to chambers by the movant at the time the reply is filed. It is the



responsibility of the movant to make sure that copies of all parties' papers are provided at that time.

Any party may request oral argument by letter at the time reply papers are filed. Whether or not requested, the Court will determine whether and when oral argument is to be held.


~~3. The trial shall commence on January 19, 2009.~~

7. Counsel do not consent to trial by a U.S. Magistrate Judge.
8. The parties are to appear before the Court for another interim status conference in this matter on May 8, 2008 at 10:00 a.m.

SO ORDERED:

Dated: New York, New York  
September ~~13~~, 2007

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GERARD E. LYNCH  
United States District Judge